

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re

MOTORS LIQUIDATION COMPANY
f/k/a GENERAL MOTORS CORP, *et al.*,

Debtors.

Chapter 11

Case #2009-50026-REG
(Jointly Administered)
Judge Robert E. Gerber

CLAIM NUMBERS OF THE COURT:

Richard & Elise Birdsall= #1745

Elise Birdsall= #1746

CLAIM NUMBERS OF THE CLAIMS AGENT:

Elise Birdsall, filed 10/09/09=7617

Richard Birdsall, filed 10/09/09=7618

NOTICE OF FILING, BY THE CREDITORS, ELISE BIRDSALL AND
RICHARD E. BIRDSALL THAT THE CAPPING CLAIM LETTERS, OF
ELISE BIRDSALL AND RICHARD BIRDSALL, WERE SERVED

Claimants, Richard Birdsall and Elise Birdsall, by and through their undersigned attorney, hereby file this Notice of Filing with the Court and with all parties.

1. In accordance with the ADR Procedures entered in the order of this Court on or about Feb. 10, 2010, all parties are hereby advised that Richard Birdsall and Elise Birdsall served their respective Capping Claim Letters, this date, in accordance with the Form Capping Claim Letter supplied in the said motion and order. This Notice of Filing is hereby filed and served pursuant to 11 U.S.C. 102(1)(B), U.S. Bankruptcy Code. Unless there is a demand for a hearing, on this issue, by a party who has proper

standing, the subject Capping Claim Letters, of Elise Birdsall and Richard Birdsall, served today, are deemed to be in compliance with the said order of this Court and the prescribed ADR procedures.

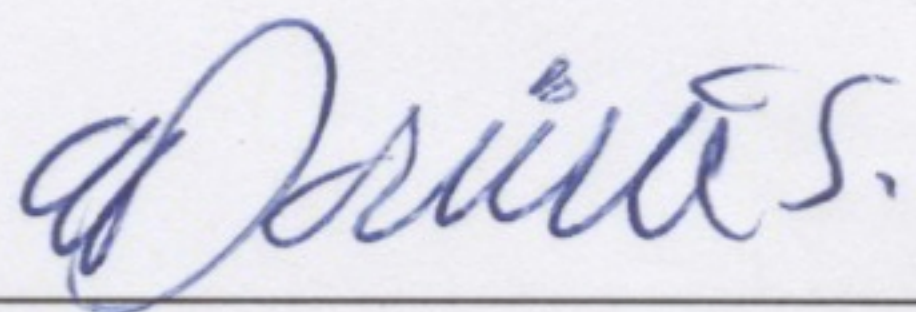
2. Although the actual damages of these two claimants do exceed the amounts stated in their respective Capping Claim Letters, the claimants, after extensive contemplation with counsel, desire to make use of this “innovative, cost efficient, speedy method of resolving disputes other than adjudication by a presiding judge.” General Order M-211. Mr. and Mrs. Birdsall request that this anticipated ADR Procedure will entail a maximization of their recoveries for the severe injuries of Richard Birdsall and the derivative “consortium” claim of Elise Birdsall, in accord with their reduced demands contained in their respective Capping Claim Letters. Adelphia Communications Corp., 368 B.R. 140, 273 n.203 (Bankr. S.D.N.Y. 2007).

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that this Notice has been served upon Vito Genna, Clerk of the U.S. Bankruptcy Court, Southern District of New York, One Bowling Green, New York City, NY 10004 and all the below-listed parties by electronic filing and in accordance with Gen. Order M-182, today, July 7, 2010.

1. The Garden City Group, Inc., ATTN: Motors Liquidation Co. Claims Processing, 5151 Blazer Parkway, Suite A., Dublin, Ohio, 43017;
2. Attorneys for the Debtor, Weil, Gotshal & Manges, Esqs., Attention Harvey Miller, Esq., S. Karotkin, Esq & J. Smolinsky, Esq., 767 Fifth Ave., New York City, NY 10153;

3. Office of the U.S. Trustee, Attention Diana G. Adams, Esq., 33 Whitehall Street, 21st Floor, New York City, NY 10004;
4. Attorneys for the Committee of Unsecured Creditors, Kramer, Levin, Esqs., Attn; T. Moers, Esq., Amy Caton, Esq & L. macksoud, Esq & J. Sharret, Esq., 1177 Avenue of the Americas, New York City, NY 10036;
5. The debtors, c/o Motors Liquidation Co., 500 Renaissance Ctr. Suite 1400, Detroit Mich., 48243, Attn: Ted Stenger;
6. General Motors, LLC., 400 Renaissance Ctr., Detroit, Mich. 48265, Attn L. S. Buonomo, Esq.;
7. Cadwalader, Wickersham & Taft, LLP., One World Fin. Ctr. N.Y., N.Y., 10281, Attn: John J. Rapisardi, Esq.;
8. U.S. Dept. of Treasury, 1500 Pennsylvania Ave., N.W., Rm 2312, Washington, D.C., 20220, Attn: J. Samarias, Esq.;
9. Vedder, Price, P.C., 1633 Broadway, 47th Floor, N.Y., N.Y., 10019, Attn: Michael Edelman, Esq. & M. Schein, Esq.;
10. U.S. Attorney's Office, S.D.N.Y., 86 Chambers St., 3rd Floor, N.Y. N.Y., 10007, Attn: David Jones, Esq & Nat Kuehler, Esq.;
11. Caplan & Drysdale, Chartered, 375 Park Ave., 35th Floor, N.Y., N.Y., 10152-3500, Attn Elihu Inselbuch Esq. & Rita Tobin, Esq. and One Thomas Cir., N.W., Suite 1100, Washington D.C. 20005, Attn: T. Swett, III, Esq. & K. Maclay, Esq.;
12. Stutzman, Bromberg, Esserman & Plifka, 23232 Bryan St., Suite 2200, Dallas, Tex., 75201 Attn: S. Esserman, Esq & R. Brousseau, Esq.



EDWARD S. DONINI, ESQ.

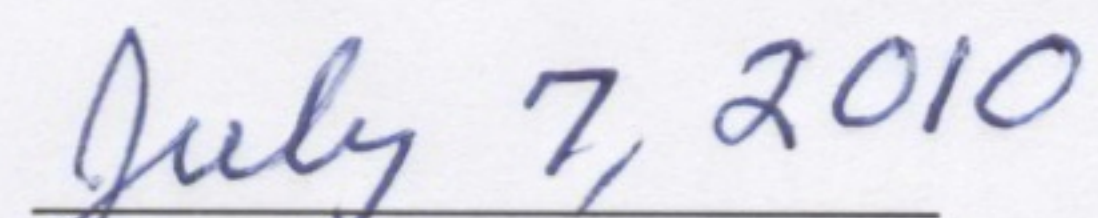
Fla. Bar # 0984787

P.O. Box 605

New Smyrna Bch., FL 32170

Tel.: (386) 760-1941

Attorney for Creditors, Richard & Elise Birdsall


DATE